

**CITY OF LONG BEACH
CITY COUNCIL AGENDA**

**TUESDAY, JANUARY 10, 2006
COUNCIL CHAMBER, 5:00 PM**

Bonnie Lowenthal, 1st District
Dan Baker, 2nd District
Frank Colonna, 3rd District
Patrick O'Donnell, 4th District



Jackie Kell, Vice Mayor, 5th District
Laura Richardson, 6th District
Tonia Reyes Uranga, 7th District
Rae Gabelich, 8th District
Val Lerch, 9th District

Gerald R. Miller, City Manager
Larry G. Herrera, City Clerk

Beverly O'Neill, Mayor

Robert E. Shannon, City Attorney

Ordinance No. C-7594 provides that hearings shall be set for 5:00 P.M. each Tuesday, and such hearings shall be held at the specified time for which they are set or as soon as practical regardless of the otherwise order of business of the City Council.

HEARINGS:

1. [06-0013](#) Recommendation to receive the supporting documentation into the record, conclude the hearing and adopt attached resolution, which would place the Long Beach Neighborhood Library Protection Measure on the April 11, 2006 Primary Nominating Election ballot, for the purpose of restoring and enhancing Library Services citywide; and

[see media](#)

Attachments: [H-1 att](#)
[H-1 sr](#)
[H-1 handout](#)

- [06-0014](#) Approve further community outreach to determine the feasibility of placing a public safety ballot measure on the November 7, 2006 Statewide General Election ballot. (Citywide)

Office or Department: CITY MANAGER

Suggested Action: Approve recommendation.

2. [05-3008](#) Recommendation to receive supporting documentation into the record, conclude the hearing, deny the appeal of Daniel L. Rosenberg and uphold the Planning Commission's decision to approve the Tentative Subdivision Map to allow the conversion of an existing apartment at 646 Nebraska Avenue to condominiums. (Case No. 0508-01, Condo Conversion) (District 2)

[see media](#)

Office or Department: PLANNING COMMISSION; PLANNING AND BUILDING

Suggested Action: Approve recommendation.

Attachments: [H-2 sr](#)
[H-2 att](#)
[H-2 handout](#)

PUBLIC COMMENT: OBTAIN SPEAKER CARD FROM THE CITY CLERK

Opportunity to address the City Council (on non-agenda items) is given to the first 10 persons who submit Speaker Cards to the City Clerk beginning at 15 minutes prior to 5:00 p.m. Each speaker is allowed three minutes to make their comments.

NOTICE TO THE PUBLIC

All matters listed under the Consent Calendar are to be considered routine by the City Council and will all be enacted by one motion. There will be no separate discussion of said items unless members of the City Council, staff or the public request specific items be discussed and/or removed from the Consent Calendar for separate action. Requests by the public for separate consideration should be made to the Mayor's Office or City Clerk Department prior to the beginning of the Council meeting.

CONSENT CALENDAR: (3 - 18)

3. [06-0019](#) Recommendation to authorize City Attorney to submit claim for death benefits for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay \$145,000 for claim of Willis Kuhlmann in compliance with the Appeals Board Order for decedent.
Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.
Attachments: [C-3 sr](#)

4. [06-0020](#) Recommendation to authorize City Attorney to submit Stipulations with Requests for Awards for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay \$38,850 for claim of Robert Craig; and \$7,200 and \$22,050 for claim of Dennis Parker in compliance with the Appeals Board Orders.
Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.
Attachments: [C-4 sr](#)

5. [06-0021](#) Recommendation to receive and file the transmittal of the lease audit report on Baja La Palapa Restaurant Group, Inc.
Office or Department: CITY AUDITOR

Suggested Action: Approve recommendation.
Attachments: [C-5 sr](#)
[C-5 att](#)
6. [06-0022](#) Recommendation to adopt Expense Reimbursement Policy in accordance with California Government Code Section 53232; and direct all City of Long Beach Boards, Agencies, and Commissions to adopt and immediately comply with the requirements of this Policy.

[see media](#)

Office or Department: CITY AUDITOR

Suggested Action: Approve recommendation.
Attachments: [C-6 sr](#)
[C-6 att](#)
[C-6 handout](#)
7. [06-0018](#) Recommendation to refer to City Attorney damage claims received between December 29, 2005 and January 5, 2006.
Office or Department: CITY CLERK

Suggested Action: Approve recommendation.
8. [06-0001](#) Recommendation to authorize City Manager to execute Lease between the City of Long Beach and the Long Beach Police Historical Society for City-owned property at 5373 E. 2nd Street. (District 3)

[see media](#)

Office or Department: COMMUNITY DEVELOPMENT; POLICE

Suggested Action: Approve recommendation.
Attachments: [C-8 sr](#)
[C-8 att](#)

9. [06-0002](#) Recommendation to authorize City Manager to execute the Fourth Amendment to Lease No. 12508 between the City of Long Beach and the Young Men's Christian Association of Greater Long Beach (YMCA) extending the term for City-owned property at 4949 Atlantic Avenue. (District 8)

[see media](#)

Office or Department: COMMUNITY DEVELOPMENT; PARKS,
RECREATION AND MARINE

Suggested Action: Approve recommendation.

Attachments: [C-9 sr](#)

10. [06-0003](#) Recommendation to authorize the receipt of a 2004-2005 Exemplary Performance Incentive Award in the amount of \$10,885 from the State of California Employment Development Department (EDD); and execution of required documents in connection with the foregoing. (Citywide)

Office or Department: COMMUNITY DEVELOPMENT

Suggested Action: Approve recommendation.

Attachments: [C-10 sr](#)

11. [06-0004](#) Recommendation to authorize City Manager to execute all documents necessary to receive a Rapid Response Award in the amount of \$249,789 for the Long Beach Business Expansion and Retention Network Project; and increase appropriations by \$249,789 in the Community Development Grant Fund (SR 150) in the Department of Community Development (CD). (Citywide)

Office or Department: COMMUNITY DEVELOPMENT

Suggested Action: Approve recommendation.

Attachments: [C-11 sr](#)

12. [06-0005](#) Recommendation to authorize City Manager to execute the Sixth Addendum to Lease No. 21427 with 3221 Industry, LLC, for warehouse space at 3221 Industry Drive, Signal Hill, for use by the Long Beach Gas and Oil Department and the Long Beach Junior Concert Band at the monthly rent of \$10,300 for the first 12 months, increasing 3 percent per year for the remainder of the five-year term; and

[see media](#)

Office or Department: COMMUNITY DEVELOPMENT

Attachments: [C-12 sr](#)
[C-12 att](#)

- [06-0006](#) Authorize City Manager to execute the First Amendment to Sublease No. 27349 between the City of Long Beach and the Long Beach Junior Concert Band for approximately 9,900 square feet of warehouse space at 3221 Industry Drive, Signal Hill, at the monthly rent of \$6,489 for the first 12 months, increasing 3 percent per year for the remainder of the five-year term.

Office or Department: COMMUNITY DEVELOPMENT; LONG BEACH GAS AND OIL; PARKS, RECREATION AND MARINE

Suggested Action: Approve recommendation.

13. [06-0007](#) Recommendation to refer to Hearing Officer for suspension/revocation of entertainment permit BU99041410, for Mariposa Restaurant Group LLC, dba Mariposa, 100 W. Broadway. (District 2)

[see media](#)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

Attachments: [C-13 sr](#)
[C-13 att](#)

14. [06-0008](#) Recommendation to receive and file the application of Socheady Reang, dba S R Liquor, for a person-to-person transfer of an Alcoholic Beverage Control License, at 1601 East Anaheim Street, with existing conditions. (District 6)

[see media](#)

Office or Department: POLICE

Suggested Action: Approve recommendation.

Attachments: [C-14 sr](#)
[C-14 att](#)
[C-14 handout](#)
[UB-13 sr.pdf](#)
[UB-13 att.pdf](#)
[UB-13 Handout](#)

15. [06-0009](#) Recommendation to receive and file the application of Cesar Contreras, dba Cork N Bottle Liquor, for a person-to-person transfer of an Alcoholic Beverage Control License, at 1302 East Artesia Boulevard, with existing conditions. (District 9)

Office or Department: POLICE

Suggested Action: Approve recommendation.

Attachments: [C-15 sr](#)
[C-15 att](#)

16. [06-0010](#) Recommendation to authorize City Attorney to accept an easement deed for the widening of the sidewalk and alley adjacent to 1207 Gardenia Avenue. (District 2)

[see media](#)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

Attachments: [C-16 sr](#)
[C-16 att](#)

17. [06-0011](#) Recommendation to authorize a public walkways occupancy permit for sidewalk dining at Trimana Grill located at 95 Pine Avenue. (District 2)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

Attachments: [C-17 sr](#)
[C-17 att](#)

18. [06-0012](#) Recommendation to adopt the Fiscal Year 2006 Overall Annual Disadvantaged Business Enterprise Goal in accordance with Title 49 of the Code of Federal Regulations, Part 26, for Capital Improvement Projects funded by the U.S. Department of Transportation - Federal Highway Administration. (Citywide)

[see media](#)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

Attachments: [C-18 sr](#)

UNFINISHED BUSINESS:

19. [05-3511](#) Recommendation to receive and file the Public Works Department's Presentation on Parkway Tree Policies. (Citywide)

[see media](#)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

Attachments: [R-53 sr](#)
[R-53 att](#)
[UB-19 sr](#)
[UB-19 att](#)
[UB-19 handout](#)

REGULAR AGENDA

DEPARTMENTAL COMMUNICATIONS:

20. [06-0025](#) Recommendation to transmit the 2006 State of the City address for the City of Long Beach.

[see media](#)

Office or Department: MAYOR BEVERLY O'NEILL

Suggested Action: Approve recommendation.

Attachments: [R-20 sr](#)

21. [06-0024](#) Recommendation to refer to the City Council Housing and Neighborhoods Committee further study and deliberation regarding "sober living" and "six pack" housing facilities, including discussion regarding the extent to which local government can regulate the over-concentration of facilities dedicated to the housing of sex offenders, alcohol abusers, drug abusers, and parolees; and, to request that the City Attorney, City Prosecutor, Police Department, Planning and Building Department, and any other affected department contribute and participate in the Committee's deliberations.

[see media](#)

Office or Department: COUNCILMEMBER BONNIE LOWENTHAL,
FIRST DISTRICT

Suggested Action: Approve recommendation.

Attachments: [R-21 sr](#)
[R-22 att](#)

22. [05-3576](#) Recommendation to adopt resolution amending Section 2 of Resolution No. RES-05-0121, known as the Salary Resolution relating to Salary Range Number 950 (Compensation of City Clerk).

[see media](#)

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

Attachments: [R-15 sr.pdf](#)
[R-22 sr](#)
[R-22 att](#)

23. [06-0016](#) Recommendation to authorize City Manager to execute the sales tax allocation settlement agreement with Office Depot. (Citywide)

[see media](#)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

Attachments: [R-23 sr](#)

24. [06-0015](#) Recommendation to authorize City Manager to execute a Master Agreement and all related grant project documents with Public Health Foundation Enterprises Inc., dba PHFE Management Solutions, to provide services relating to the identification, application, and fiscal sponsorship of Health Information Technology grants for a period of three years, with an option to extend the Agreement for two additional one-year periods. (Citywide)

[see media](#)

Office or Department: HEALTH AND HUMAN SERVICES

Suggested Action: Approve recommendation.

Attachments: [R-24 sr](#)

25. [06-0017](#) Recommendation to receive and file the application of Maria Theresa Mejia-Salazar and Abel Salazar, dba El Sunzal, for an original Alcoholic Beverage Control License, at 2087 Long Beach Boulevard, with conditions. (District 6)

[see media](#)

Office or Department: POLICE

Suggested Action: Approve recommendation.

Attachments: [R-25 sr](#)
[R-25 att](#)
[R-25 handout](#)

ORDINANCES:

26. [06-0023](#) Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Subsection 14.14.050 (A) to delete the seasonal restrictions on canopies in the downtown area read the first time and laid over to the next regular meeting of the City Council for final reading. (Districts 1,2)

[see media](#)

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

Attachments: [ORD-26 sr](#)
[ORD-26 att](#)
[ORD-19att](#)

27. [05-3571](#) Recommendation to declare ordinance correcting the Long Beach Municipal Code description of the court before which persons who have been arrested must appear, read and adopted as read. (Citywide)

[see media](#)

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

Attachments: [ORD-20 sr.pdf](#)
[ORD-27 att](#)

28. [05-3574](#) Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Section 10.22.080 by adding Subsection AA relating to Parking Vehicles For Sale, read and adopted as read. (Districts 3,5)

[see media](#)

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

Attachments: [ORD-19 sr.pdf](#)
[ORD-19 att.pdf](#)
[ORD-28 att](#)

29. [05-3570](#) Recommendation to declare ordinance read and adopted as read which, pursuant to Section 1806 of the City Charter, makes findings and determinations regarding contracting of security guard services; award a contract for Specifications No. PA-02805 to Contact Security, Inc., in an estimated annual amount of \$869,125 for a one-year period; and authorize amendments to extend the term for three additional one-year periods, at the discretion of City Manager. (Citywide)

[see media](#)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

Attachments: [ORD-21 sr.pdf](#)
[ORD-21 att.pdf](#)
[ORD-29 att](#)

NEW BUSINESS:

New Business items are additions to the City Council Agenda subsequent to the posting of the agenda on Thursday afternoon.

30.

31.

32.

PUBLIC: IMMEDIATELY PRIOR TO ADJOURNMENT

Opportunity is given to those members of the public who have not addressed the City Council on non-Agenda items. Each speaker is limited to three minutes unless extended by the City Council.

STANDING COMMITTEE REMINDERS:

Housing Authority at 4:30 P.M.

HEARING REMINDERS:

January 24, 2006 – Hearing for a Permit for Entertainment With Dancing at an Existing Hotel, Queensbay Hotel LLC, dba Coast Long Beach Hotel, 700 Queensway Drive. (District 2)

NOTE:

An agenda may be obtained from the City Clerk Department prior to the meeting or can be mailed if the City Clerk is provided self-addressed, stamped envelopes mailed to: City Clerk Dept., City Hall Plaza Level, 333 W. Ocean Blvd., Long Beach, CA 90802.

The City Council agenda and supporting documents are available on the Internet at www.longbeach.gov. Persons interested in obtaining an agenda via e-mail should subscribe to the City of Long Beach E-Notify System at <http://www.longbeach.gov/enotify/default.asp>.

Agenda items may also be reviewed in the City Clerk Department or the Plaza Level Information Desk of the Main Library and at Branch Libraries.

If language interpretation for non-English speaking persons is desired or if a special accommodation is desired pursuant to the Americans with Disabilities Act, please make your request by phone to the City Clerk Department at (562) 570-6101, by 12 noon Monday, the day prior to the Council meeting.

E-Mail correspondence regarding agenda items can be directed to cityclerk@longbeach.gov.